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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/799,760   | 03/15/2004  | Henrik Jakobsen      | 0715.0010C          | 9116             |
| 27896  | 7590        | 08/26/2005           | EXAMINER            |                  |
| EDEL, SHAPIRO & FINNAN, LLC<br>1901 RESEARCH BOULEVARD<br>SUITE 400<br>ROCKVILLE, MD 20850 |             |                      | TRAN, MAI HUONG C   |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2818                |                  |

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/799,760

Applicant(s)

JAKOBSEN, HENRIK

Examiner

Mai-Huong Tran

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/15/04</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restriction***

Application's election without traverse of Group I (Claims 11-19) drawn to a semiconductor device is acknowledged for prosecution in the subject application. Accordingly, claims 1-10 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Applicants have the right to file a divisional application covering the subject matter of the non-elected claims.

### **Claim Rejections - 35 U.S.C. § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11-19 are rejected under 35 U. S. C. § 102 (e) as being anticipated by U.S. Patent No. 6,806,557 to Ding.

Regarding to claim 11, Ding discloses a multi-layer device comprising a substrate 24; at least one electrical component 22 located on the substrate; an electrically conductive bond layer 27, formed on the substrate and surrounding the electrical components 22; and an encasing layer 30, wherein the encasing layer 30 is bonded to the bond layer 27 to form a sealed cavity encasing the components therein (col. 5, lines 7-60, and figs. 1A-1C).

Regarding to claim 12, a device wherein the encasing layer is anodically bonded to the bond layer to form the sealed cavity (col. 5, lines 53-54).

Regarding to claim 13, a device wherein the substrate comprises an electrical conductor, positioned in isolation from the surface provided to receive the bond layer, to connect the component with an external contact pad (figs. 1A-1C, 2A-2E).

Regarding to claim 14, a device wherein the conductor is formed from at least one conducting layer coupled with conducting plugs (col. 5, lines 7-60, and figs. 1A-1C).

Regarding to claim 15, a device wherein the conducting layer is surrounded by dielectric layers (col. 5, lines 55-58).

Regarding to claim 16, a device wherein the component is CMOS or BiCMOS circuitry (col. 1, lines 15-20).

Regarding to claim 17, a device wherein the component is a pressure sensor or an inertial sensor (col. 1, lines 21-23).

Regarding to claim 18, a device further comprising a conductive shielding layer which is placed on the glass wafer and connected to the substrate, in order to protect the device from the electric field generated during anodic bonding (col. 5, lines 50-52).

Regarding to claim 19, a device wherein a second encasing layer is bonded to a second surface of the substrate to form a second sealed cavity col. 4, lines 33-56).

### **Conclusion**

Any inquiry concerning this communication on earlier communications from the examiner should be directed to Mai-Huong Tran, (571) 272-1796. The examiner can

normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM. The examiner's supervisor, David Nelms can be reached on (571) 272-1787.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR, Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mai-Huong Tran